

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: NOVEMBER 29, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

**VAR-25403 - VARIANCE - CAROLINE'S COURT - APPLICANT/OWNER: CAROLINE'S COURT, LLC** - Request for a Variance TO ALLOW A RETAINING WALL HEIGHT OF 15 FEET WHERE THE MAXIMUM RETAINING WALL HEIGHT IS SIX FEET ON THE WEST PROPERTY LINE, AND TO ALLOW A TOTAL HEIGHT OF 23 FEET WHERE THE MAXIMUM TOTAL HEIGHT OF RETAINING AND SCREENING WALLS IS 12 FEET on 23.62 acres at the northwest corner of El Capitan Way and Durango Drive (APNs 125-17-601-012, 017 and 125-17-202-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross)

**P.C.: FINAL ACTION (Unless Appealed Within 10 Days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**2**

**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**1**

**City Council Meeting**

**0**

**RECOMMENDATION:**

**DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Postcard
6. Submitted after final agenda – Protest/support postcards

Motion made by GLENN TROWBRIDGE to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

GLENN TROWBRIDGE, DAVID STEINMAN, STEVEN EVANS, LEO DAVENPORT, BYRON GOYNES, RICHARD TRUESDELL, SAM DUNNAM; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIRMAN DAVENPORT declared the Public Hearing open.

STEVE SWANTON, Planning and Development Department, stated the requested variance is appropriate in this situation and recommended approval.

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CLARO PEREZ, 245 Warm Springs Road, appeared on behalf of the applicant. He explained the wall would not be visible from the surrounding roads as a building would be shielding it. He noted that 15-foot wall was the lowest wall that could be placed at that location due to the extreme elevation change on the site.

MR. PEREZ described the landscaping and pedestrian walkway at the north part of the property for COMMISSIONER TROWBRIDGE.

MR. PEREZ informed COMMISSIONER TRUESDELL that the adjacent residential properties would be at a lower elevation compared to the subject site. MR. PEREZ further clarified that they would be lowering the site's elevation to minimize the height of the retaining wall.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

